



Wade Troxell, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Ray Martinez, District 2
Gino Campana, District 3
Kristin Stephens, District 4
Ross Cunniff, District 5

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

Cablecast on FCTV Channel 14
and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Wanda Winkelmann
City Clerk

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Regular Meeting December 20, 2016 (amended 12/19/16)

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Proclaiming Fort Collins as a Community Committed to Moving Towards Zero Deaths, with the goal of ending fatalities on the nation's roads within the next 30 years.
- B. Proclamation Declaring December 20, 2016, as Julian Siegel Day.

Regular Meeting 6:00 p.m.

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW: CITY MANAGER
 - City Manager Review of Agenda.

- Consent Calendar Review

This Review provides an opportunity for Council and citizens to pull items from the Consent Calendar. Anyone may request an item on this calendar be “pulled” off the Consent Calendar and considered separately.

- Council-pulled Consent Calendar items will be considered before Discussion Items.
- Citizen-pulled Consent Calendar items will be considered after Discussion Items.

- **CITIZEN PARTICIPATION**

Individuals may comment regarding items scheduled on the Consent Calendar and items not specifically scheduled on the agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to the Council.

- Those who wish to speak are asked to sign in at the table in the lobby (for recordkeeping purposes).
- All speakers will be asked by the presiding officer to identify themselves by raising their hand, and then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).
- The presiding officer will determine and announce the length of time allowed for each speaker.
- Each speaker will be asked to state his or her name and general address for the record, and to keep comments brief. Any written comments or materials intended for the Council should be provided to the City Clerk.
- A timer will beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep again and turn red when a speaker’s time to speak has ended.

[**For questions about the development review process or the status of any particular development, citizens should consult the Development Review Center page on the City’s website at fcgov.com/developmentreview, or contact the Development Review Center at 221-6750.]

- **CITIZEN PARTICIPATION FOLLOW-UP**

Consent Calendar

The Consent Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be “pulled” off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Pulled Consent Items. Items remaining on the Consent Calendar will be approved by City Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

1. Items Relating to Capital Improvement Expansion Fees.

- A. Second Reading of Ordinance No. 132, 2016, Amending the Code of the City of Fort Collins to Increase the Amounts of Capital Improvement Expansion Fees Contained in Chapter 7.5 of the City Code so as to Reflect Inflation in Associated Costs of Services.
- B. Second Reading of Ordinance No. 137, 2016, Amending Section 7.5-18 of the Code of the City of Fort Collins to Provide that the Street Oversizing Capital Improvement Expansion Fee will be Increased or Decreased Annually Based on the Engineering News Denver Regional Construction Cost Index Instead of the Denver-Boulder Consumer Price Index for Urban Consumers.

These Ordinances, unanimously adopted on First Reading on December 6, 2016, update City Code Chapter 7.5 related to the annual inflation increases in the capital improvement expansion fees and the Neighborhood Parkland Fee established in Chapter 7.5. Ordinance No. 132, 2016, revises the Community Parkland, Police, Fire Protection, General Government capital improvement expansion fees and the Neighborhood Parkland Fee to reflect a 3.0% increase based on the change in the Denver-Boulder-Greeley Consumer Price Index (CPI) since the last adjustment. The Street Oversizing Capital Improvement Expansion Fee is increased by 1.3% to reflect the change in the Engineering News Record Denver Regional Construction Cost Index (ENR) since the last adjustment of this fee. For Second Reading, language has been added to this Ordinance to reflect that the new fees will not apply to applications for development for which a complete application for a building permit has been submitted prior to January 1, 2017, even if the permit is issued on or after January 1, 2017. This is to accommodate applications currently in the cue in the Building Department but for which a permit will not be issued until after the new fees are in place.

Ordinance No. 137, 2016, amends Code Section 7.5-18 to reflect the City Council's past practice and intended future practice of basing the annual increases or decreases in the Street Oversizing Capital Improvement Expansion Fee on the ENR instead of the CPI, since the ENR is a better measure than the CPI of the changes in costs to construct street improvements in the City.

2. Second Reading of Ordinance No. 133, 2016, Adopting the 2017 Classified Employees Pay Plan.

This Ordinance, unanimously adopted on First Reading on December 6, 2016, amends the City's Classified Employee Pay Plan based on results of the annual market analysis. The City of Fort Collins utilizes a common compensation methodology to assess jobs, combine them into occupational groups and establish pay range structures. The result of this work is a Classified Employee Pay Plan which sets the minimum, midpoint and maximum of pay ranges within each occupational group. Each year, staff conducts a detailed analysis of benchmark data to determine if the market is moving sufficiently to recommend structure adjustments. Actual employee pay increases are awarded through a separate administrative process in accordance with the budgeted amount approved by Council. As a result of the market analysis, staff is recommending a 2.5% structure adjustment for all Skill Based/Step Level Jobs in the Classified Employee Pay Plan and no movement for Open Pay Range positions.

3. Second Reading of Ordinance No. 134, 2016, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Compensation of the Municipal Judge.

City Council met in executive session on November 29, 2016, to conduct the performance review of Municipal Judge Kathleen Lane. This Ordinance, unanimously adopted on First Reading on December 6, 2016, establishes the 2017 salary of the Municipal Judge at \$117,152 and total compensation at \$144,568.

The effective date of the salary change has been revised to January 2 instead of January 1, as this is the first day of the first pay period of the new year.

4. Second Reading of Ordinance No. 135, 2016, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Compensation of the City Attorney.

City Council met in executive session on November 29, 2016, to conduct the performance review of City Attorney Carrie Daggett. This Ordinance, unanimously adopted on First Reading on December 6, 2016, establishes the 2017 salary of the City Attorney at \$189,521 and total compensation at \$226,821.

The effective date of the salary change has been revised to January 2 instead of January 1, as this is the first day of the first pay period of the new year.

5. Second Reading of Ordinance No. 136, 2016, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Compensation of the City Manager.

City Council met in executive session on November 29, 2016, to conduct the performance review of City Manager Darin Atteberry. This Ordinance, unanimously adopted on First Reading on December 6, 2016, establishes the 2017 salary of the City Manager at \$256,087 and total compensation at \$311,480.

The effective date of the salary change has been revised to January 2 instead of January 1, as this is the first day of the first pay period of the new year.

6. First Reading of Ordinance No. 138, 2016, Designating the Howell Property Located at 519 East Mulberry Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to designate the Howell property, located at 519 East Mulberry Street, as a Fort Collins Landmark. The owner of this property, Housing Catalyst, formerly the Fort Collins Housing Authority, is initiating this request. The 1908 vernacular cottage residence is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard C, Design/Construction as a hipped box type residence.

7. First Reading of Ordinance No. 139, 2016, Designating the Kimball Property Located at 608 and 608 ½ South Grant Avenue, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to designate the Kimball Property, located at 608 and 608 ½ South Grant Avenue, as a Fort Collins Landmark. The owner of this property, Housing Catalyst, formerly the Fort Collins Housing Authority, is initiating this request. The 1924 bungalow is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard C, Design/Construction.

8. First Reading of Ordinance No. 140, 2016, Designating the Schroeder/McMurry Property Located at 701 Mathews Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to designate the Schroeder/McMurry property, located at 701 Mathews Street, as a Fort Collins Landmark. The owner of this property, Housing Catalyst, formerly the Fort Collins Housing Authority, is initiating this request. The 1920 Craftsman-style residence and garage are eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard B, Persons/Groups, and Standard C, Design/Construction.

9. First Reading of Ordinance No.141, 2016, Designating the Wilhelm Property Located at 717 and 717 ½ West Mulberry Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to designate the Wilhelm Property, located at 717 and 717 ½ West Mulberry Street, as a Fort Collins Landmark. The owner of this property, Housing Catalyst, formerly the Fort Collins Housing Authority, is initiating this request. The 1948 ranch-style residence and attached garage is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard C, Design/Construction.

10. First Reading of Ordinance No. 142, 2016, Approving and Authorizing the Mayor to Execute Amendment Number One to the Intergovernmental Agreement Between the City and Larimer County Regarding Cooperation on Managing Urban Development Within the Fort Collins Growth Management Area and Amending the Boundaries of the Fort Collins Growth Management Area.

The purpose of this item is to amend the Intergovernmental Agreement (IGA) with Larimer County regarding the Growth Management Area (GMA) boundary to ratify the same boundary agreed to by the City of Fort Collins and the Town of Timnath.

11. Resolution 2016-089 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Enclave Annexation Proceedings for Such Property to be Known as the Rennat Annexation.

This is a City-initiated request to annex 57.83 acres at 6015 South Timberline Road into the City of Fort Collins. The parcel became an enclave with the annexation of the Hansen Farm Annex on May 21, 2013. As of May 21, 2016, the City is authorized to annex the enclave in accordance with State Statute 31-12-106. The Rennat Annexation is situated between the Union Pacific Railroad/Southridge Golf Course to the west and S Timberline Road to the east. The requested zoning for this annexation is Low Density Mixed-Use Neighborhood (LMN), Medium Density Mixed-Use Neighborhood (MMN) and Neighborhood Commercial (NC), which is consistent with the City of Fort Collins Structure Plan. The surrounding properties are residential, educational, and agricultural land uses. The property owner has expressed no objections to the annexation.

The proposed Resolution makes a finding that the property at issue has been completely contained within the boundaries of the City for not less than three years, initiates annexation proceedings, sets a hearing date for the annexation ordinance and directs the City Clerk to publish notice. The hearing will be held at the time of first reading of the annexation and zoning ordinances; not less than thirty days of prior notice is required by state law.

12. Resolution 2016-093 Making Findings of Fact and Conclusions of Law Regarding the Appeal of the Planning and Zoning Board Decision Approving the Brick Stone Apartments on Harmony Project Development Plan PDP 160019.

The purpose of this item is to make findings of fact and conclusions regarding two appeals of the Planning and Zoning Board's decision approving the Brick Stone Apartments on Harmony Project Development Plan. The appeals were heard by City Council on December 6, 2016.

13. Resolution 2016-094 Adopting the 2016 Update to the Three-Mile Plan for the City of Fort Collins.

The purpose of this item is to adopt the 2016 update to the *Three-Mile Plan for the City of Fort Collins*. This plan is a policy document for the coordination and provision of services for potential annexations, and describes the general location, character, utilities, and infrastructure for areas within three miles of the municipal boundary. Annual updates to the Three-Mile Plan are required by state statutes.

14. Resolution 2016-098 Approving the Charter of the Regional Water Collaboration Steering Committee.

The purpose of this item is to seek City Council approval of the Charter of the Regional Water Collaboration Steering Committee, as proposed by the Regional Water Collaboration Steering Committee (the Steering Committee). The Steering Committee is composed of members of governing boards and staff of Fort Collins Utilities, East Larimer County Water District (ELCO), and Fort Collins Loveland Water District (FCLWD). The proposed Steering Committee Charter articulates key regional water issues identified by the Steering Committee and the purpose and intended outcomes of regional water collaboration. The Charter outlines the Steering Committee's purpose, goals, membership, governance structure, and expected deliverables. The Charter formalizes a commitment from each water provider to investigate and pursue collaborative opportunities where it makes sense and where customers and residents within the Growth Management Area (GMA) will realize a benefit.

15. Resolution 2016-095 Consenting to a Request by the Anheuser-Busch Park and Recreation District to Dissolve.

The purpose of this item is for the City Council to consider consenting to the dissolution of the Anheuser-Busch Park and Recreation District. Legal counsel from the District contacted the City Attorney's Office in August 2016 to seek the City's consent to the dissolution of the park and recreation district formed in 2008. The District's Board of Directors believes the benefits do not justify the overhead costs of administering the district. State statute §32-1-704(3)(b) permits special districts to dissolve without conducting an election if: (a) the City Council and District Board both consent, and (b) the district does not carry any outstanding financial obligations. Anheuser-Busch is the sole property owner within the District. Without Council consent, it is presumed that the District will pursue dissolution via conducting an election for which Anheuser-Busch is the sole voter.

16. Resolution 2016-096 Adopting Amendments to the City's Financial Policies Relating to the Revenue Policy.

The purpose of this item is to update Financial Policy 2 - Revenue. The Revenue and Debt Policies were last updated in 2013. No changes are recommended to the Debt Policy, but changes are recommended to the Revenue Policy. They primarily relate to Colorado's Taxpayer's Bill of Rights (TABOR) and the recent need for voter approval to keep the excess revenue associated with the "Keep Fort Collins Great" sales and use tax. The related changes are meant to reduce the potential for another such election. All other changes are clarifications or removal of sections with little to no policy elements. Council Finance Committee reviewed and approved the recommended changes on November 21, 2016.

17. Resolution 2016-097 Making Appointments to Various Boards and Commissions of the City of Fort Collins.

The purpose of this item is to appoint individuals to fill vacancies that currently exist on various boards, commissions, and authorities due to resignations of board members and vacancies to be created upon the expiration of terms of current members. Applications were solicited during September and October. Council teams interviewed applicants during November and December. This Resolution appoints individuals to fill current vacancies and expiring terms.

This Resolution does not fill all vacancies. Interviews are continuing, and any remaining vacancies will be advertised as needed.

END CONSENT

- **CONSENT CALENDAR FOLLOW-UP**

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

- **STAFF REPORTS**

A. Community Efforts for Emergency Shelter. (staff: Jeff Mihelich, Jackie Kozak-Thiel)

- **COUNCILMEMBER REPORTS**

- **CONSIDERATION OF COUNCIL-PULLED CONSENT ITEMS**

Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests citizen comment on the item (three minute limit for each citizen)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

- **NO DISCUSSION ITEMS ARE SCHEDULED.**

- **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

- **OTHER BUSINESS**

A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers (Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

- **ADJOURNMENT**

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



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City Council Work Session December 20, 2016

(After the Regular Council Meeting, which begins at 6:00 p.m.)

- **CALL TO ORDER.**

1. Broadband Plan Update - Overview of Community Outreach and Staff Recommendation. (staff: SeonAh Kendall, Mike Beckstead, Jeff Mihelich; 45 minute staff presentation; 90 minute discussion)

The purpose of this item is to provide City Council an update on the Broadband Plan and review the community outreach, Request for Information interviews, executive site visits, and City Manager recommendation.

- **OTHER BUSINESS.**

- **ADJOURNMENT.**